

**MINUTES OF MEETING  
FIDDLER’S CREEK COMMUNITY DEVELOPMENT DISTRICT #1**

The Board of Supervisors of the Fiddler’s Creek Community Development District #1 held a Regular Meeting on December 12, 2018 at 8:00 a.m., at the Fiddler’s Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114.

**Present at the meeting were:**

Phil Brougham	Chair
Joseph Badessa	Assistant Secretary
Joseph Schmitt	Assistant Secretary
Robert Slater	Assistant Secretary
Torben Christensen	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Adams	Assistant Regional Manager
Jason Olson	Assistant Regional Manager
Tony Pires	District Counsel
Terry Cole	District Engineer
Carrie Robinson (via telephone)	Special Counsel
Marie Puckett	Fiddler’s Creek Security
Robert Dieckmann	Interim Project Manager – The Foundation
Elysee Marshall	Resident
Frank Marcos	Resident
Jesse Fritz	Resident
Judy Tibbs	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Brougham called the meeting to order at 8:00 a.m. All Supervisors were present, in person.

**SECOND ORDER OF BUSINESS**

**Public Comments: Non-Agenda Items (3 minutes per speaker)**

Ms. Elysee Marshall, a resident, indicated the vinyl fence adjacent to the chain-link fence, on Mulberry Lane, has an 8” gap, allowing access into the community. Mr. Coles was directed to tour the site and make the repairs needed to close the gap.

**THIRD ORDER OF BUSINESS**

**Administration of Oath of Office to Newly Elected Supervisors, Joseph Badessa, [SEAT 1] and Torben Christensen, [SEAT 2] (the following to be provided in a separate package)**

Mrs. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Joseph Badessa and Mr. Torben Christensen. Mrs. Adams provided and briefly explained the following items:

- A. Guide to Sunshine Amendment and Code of Ethic for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Financial Disclosure Forms**
  - i. Form 1: Statement of Financial Interests**
  - ii. Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - iii. Form 1F: Final Statement of Financial Interests**
- D. Form 8B – Memorandum of Voting Conflict**

Upon review of Sunshine Law, Supervisors do not have to keep documents provided by Management, as Management retains all District documents. Public records requests should be forwarded to Management and District Counsel. Mr. Pires explained the implications, civil and criminal penalties involved, in Board Members violating the Sunshine Law, and reiterated that no communication between Board Members should occur outside of a public meeting; and if they are ever in doubt they should contact Mr. Pires, Mr. Adams or Mrs. Adams for clarification and to forward them any public records requests they receive.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2019-01, Electing the Officers of the Fiddler's Creek CDD #1, Collier County, Florida**

Mr. Brougham presented Resolution 2019-01. Mr. Slater nominated Mr. Brougham as Chair. Mr. Schmitt seconded the nomination. No other nominations were made for Chair. Mr. Brougham nominated Mr. Slater as Vice Chair. Mr. Badessa seconded the nomination. No other nominations were made for Vice Chair. With the addition of Mr. Christensen as an Assistant Secretary and the nominations of Mr. Brougham as Chair and Mr. Slater as Vice Chair and retaining the remainder of the slate of officers unchanged, the slate of officers was as follows:

Chair	Phillip Brougham
Vice Chair	Robert Slater
Secretary	Chuck Adams
Assistant Secretary	Joseph Schmitt
Assistant Secretary	Joseph Badessa
Assistant Secretary	Torben Christensen
Assistant Secretary	Craig Wrathell
Treasurer	Craig Wrathell
Assistant Treasurer	Jeff Pinder

**On MOTION by Mr. Badessa and seconded by Mr. Slater, with all in favor, Resolution 2019-01, Electing the Officers of the Fiddler's Creek CDD #1, Collier County, Florida, as nominated and stated, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Special Counsel Update**

Ms. Robinson provided the following update:

- Discovery continues despite the December 14<sup>th</sup> cutoff date. Counsels agreed to extend certain depositions, due to the upcoming holiday schedule and other extenuating circumstances.
- An Executive Session to discuss matters that are not appropriate for a public meeting was requested. Today's meeting will be continued to Friday, December 14, 2018 at 9:00 a.m., for the purposes of holding the Executive Session. The location will be either the 19<sup>th</sup> Hole or old Board Room, the location will be confirmed before this meeting recesses.

**Ms. Robinson left the meeting.**

**SIXTH ORDER OF BUSINESS**

**Developer's Report**

There being no Developer's Report, the next item followed.

In response to a question regarding providing Security with license plate and vehicle registration, Ms. Puckett instructed residents to submit their license plate registration information to the Safety Department, main gate staff or to email it to her.

In response to a question regarding a comment by Mr. DiNardo about giving a presentation about The Foundation taking over Security fully, Ms. Puckett stated that she had no information about it. Mr. Adams recalled that the timing would be around or during the Fiscal Year 2020 budget deliberations.

**SEVENTH ORDER OF BUSINESS****Engineer's Report: *Hole Montes, Inc.***

Mr. Cole distributed the Hurricane Irma Restoration Report for December 12, 2018 and reported the following:

- Landscape restoration project was completed and follow up inspections of the remaining punch list items were being performed for areas such as along the Hawk's Nest fence and the landscape lighting.
- Streetlight repairs were completed.
- Signage: - Confirmation pending from Mr. Dieckmann regarding completion of the signage punch list items.
- Lock down rods for all double-sided gates were installed to the lock bar posts, locks were installed at the three locations and the keys were given to Ms. Puckett. Repairs to the fence panel along Mahogany were completed.
- Several surplus pallets of fence panels, in the yard North of Sandpiper, will be moved and, depending on availability, stored at one of the pump stations or staged in the parking lot located on Creative.

Mr. Slater stated that striping was painted on CDD pavers, as opposed to the pavers on Isla Del Sol's property. Mr. Pires stated that, when he contacted Isla Del Sol's counsel to discuss a Licensing Agreement, he was told that, because work was already done, they no longer required a License Agreement. Mr. Cole explained that the original intent was to join the milling and repaving projects and engage one contractor but have separate contracts; however, the matter is now moot. Mr. Adams confirmed that, as long as the District is in compliance, an agreement was no longer necessary.

- Mr. Dieckmann is coordinating installation of pavers and park bench at Lake #88, adjacent to the irrigation pump house and at the Championship Drive bench location.

Mr. Olson will inventory the number of benches within the District and obtain a proposal to replace all of them.

- Sidewalk repair project at Fiddler's Creek Parkway, entrance of 951 to Sandpiper Drive, will commence mid-January. Summarizing other repairs needed was underway and that will be added to the contract, as additional work.
- A contractor is needed to repair or replace the broken tops at the catch basins, separate from the sidewalk contractor. Mrs. Adams will forward contact information for a contractor to Mr. Cole and Mr. Slater will forward another contractor's information to Mrs. Adams.
- Upon receipt of Mrs. Adams photos, a proposal was obtained to repair three damaged fence areas, south of Mulberry Court.

Mr. Frank Marcos, a resident, asked if the markings, along Fiddler's Creek Parkway, were part of the sidewalk repair project commencing in January. Mr. Cole stated that the areas marked on Mahogany will be added to the projects list and completed at about the same time.

**EIGHTH ORDER OF BUSINESS**

**Presentation/Consideration of Consulting Proposal from Irrigation Design Group (IDG)**

Mrs. Adams distributed the Irrigation Design Group (IDG) proposal. Mr. Brougham stated that the District intends to purchase a web-based irrigation control system; however, due to various delays, the company has not made a presentation. He suggested CDDs #1 and #2 schedule a joint workshop before making final decisions and, once made, involve the Villages.

Mr. Jesse Fritz, a resident, noted that Montreaux just completed an irrigation project with Juniper. Mr. Adams explained that transferring the CDDs', Villages' and individual homeowners' irrigation system to a web-based system was more complex than just transferring individual homes; financing must be discussed also.

In response to Mr. Slater's statement, Mr. Cole stated the original capacity for Fiddlers Creek involved 6,000 acres. He does not believe there is a supply issue; however, since the system is more than 20 years old and many changes to its management and technology have occurred since then, he recommends performing a study of the system for all its participants. Mr. Adams was directed to prepare an agenda and schedule a joint workshop for CDD #1, CDD

#2 and certain other participants would be invited, before consultants are invited to make presentations and recommendations.

**NINTH ORDER OF BUSINESS**

**Continued Discussion/Update: Hurricane Irma Recovery**

There being nothing to report, the next item followed.

**TENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of October 31, 2018**

Mr. Brougham presented the Unaudited Financial Statements as of October 31, 2018. There was minimal activity, as it was the first month of the new fiscal year.

Mr. Christensen asked why the "Contractual services" "Street lighting" line item was at 200%, or over budget by 100%. Mr. Adams would research the matter.

**ELEVENTH ORDER OF BUSINESS**

**Consideration of October 24, 2018 Regular Meeting Minutes**

Mr. Brougham presented the October 24, 2018 Regular Meeting Minutes and asked for any additions, deletions or corrections.

**On MOTION by Mr. Schmitt and seconded by Mr. Badessa, with all in favor, the October 24, 2018 Regular Meeting Minutes, as presented, were approved.**

**TWELFTH ORDER OF BUSINESS**

**Action Items**

Completed Action Items: 8, 10, 13, 14, 18, 20, 22, 23, 25, 26, 32, 33 and 34.

In response to Mr. Brougham's question, Mr. Pires stated the plat dedication and Interlocal Agreement documents designating transferring the plat on Cranberry were sent to Mr. Adams. Mr. Adams gave the documents executed today to Mr. Pires for recording.

Item #6: Mr. Cole will confirm whether the vacant lot, at Marsh Cove, was cleared and graded properly and, if not, he will contact Ms. Lord about sending violation notices.

Items #16 and #17: Mr. Pires provided an update of the Collier County's Stormwater fee Public Hearing, held September 6, 2018 and the District's objection. If the County does not

initiate the fee, it intends to initiate a \$250,000 tax increase and then institute a program concerning Districts.

Item #32: Mr. Schmitt stated that the Mulberry Board met to discuss plans to codify special assessments to cover costs to engage Waldrup for new landscaping, fence and decorative gates design, which will be submitted to the Design Review Committee (DRC) for approval. Once approved by the DRC, the CDD will be advised of changes, since the CDD maintains that area.

▪ **Continuation of Unaudited Financial Statements as of October 31, 2018**

Mr. Adams noted the "Street light" line item overage was a result of engaging Florida Painters to repaint all the signs and streetlights that were not replaced so the appearance would be consistent with the new ones. Ms. Puckett is getting them tagged and she confirmed that they will be part of the GIS programming.

Mr. Christensen asked if the CDD was still paying for the ongoing project to have the street lights painted, as the street light on Runaway Bay was not painted. Mr. Olson would coordinate the painting of the street light on Runaway Bay.

**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *Woodward, Pires and Lombardo, P.A.***

At Mr. Broughams request, Mr. Pires contacted the Pelican Lakes Attorney, who agreed to split the \$3,400 proposed cost, obtained verbally by Mr. Cole, with the CDD, to install a double yellow stripe from 951 and Championship Drive to the gate. Mr. Cole will obtain a written estimate to forward to Mr. Pires.

**B. District Manager: *Wrathell, Hunt and Associates, LLC***

- **NEXT MEETING DATE: January 23, 2019 at 8:00 A.M.**

The next meeting will be held on January 23, 2019 at 8:00 a.m.

**C. Operations Manager: *Wrathell, Hunt and Associates, LLC***

Mrs. Adams presented the Field Operations Report for December 12, 2018 and highlighted the following:

- Fence Repairs: Mr. Cole obtained a quote to repair 7680 Mulberry Court.
- Landscape: Sealed bids for the landscape maintenance contract is being reviewed today and will be presented to the Board for consideration and award of contract in January.

- Whitefly: Treatments continue, as needed.
- Bent Creek Buffer Oak: Replacing one dead Oak tree today.
- Flowers: Seasonal flower rotation was completed. Begonias will be installed in February.
- Palm Pruning: Expected to be completed by the end of next week.
- Irrigation Repair: Main line break, at the corner of Championship and Fiddler’s Creek Parkway was repaired. The cost was \$8,500.
- Tree Pruning Specifications: Remains ongoing.
- Street Sign Replacement: Project mostly completed. One “Do Not Enter” sign was being replaced.
- LED Streelight Conversion: Will be included as an agenda item in January. Identification of which lights are tariffed and which are metered was underway.

**FOURTEENTH ORDER OF BUSINESS**

**Supervisors’ Requests**

Mr. Slater asked if the DRC approved the flowers for the front of the monuments at its December meeting. Mr. Brougham was unsure and stated that Mr. Slater should contact Valentin, Allyson’s replacement, for that information.

**FIFTEENTH ORDER OF BUSINESS**

**Public Comments**

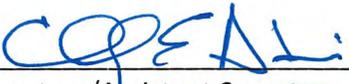
Ms. Judy Tibbs, a resident, stated that a sign was missing from its post at the west entrance to Bent Creek. Mr. Slater stated that Bent Creek was responsible for its repair.

Mr. Dieckmann indicated most of the signage punch list items were completed and only a few minor repairs remained.

**SIXTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting recessed and was continued to December 14, 2018 at 9:00 a.m., at the 19<sup>th</sup> Hole, or a location to be determined.

  
Secretary/Assistant Secretary

  
Chair/Vice Chair